

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEON RAY WHITING,

Defendant.

MEMORANDUM DECISION AND  
ORDER GRANTING DEFENDANT'S  
*PRO SE* MOTION FOR EARLY  
TERMINATION OF SUPERVISED  
RELEASE

Case No. 2:01-CR-741 TS

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This matter is before the Court on Defendant's *Pro Se* Motion for Early Termination of Supervised Release.<sup>1</sup> The government has notified the Court that it intends to rely upon the position and recommendation of the United States Probation Office, which is to terminate supervised release. Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant's Motion, as set forth below.

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<sup>1</sup>Docket No. 36.

BACKGROUND

Defendant was sentenced on October 22, 2002, to a 51-month term of incarceration, to be followed by a 36-month term of supervised release. Defendant began his term of supervised release on July 7, 2006.

DISCUSSION

18 U.S.C. §§ 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

The Court has considered these factors, has reviewed the docket and case file, and has consulted with Defendant's supervising officer. It has been represented to the Court that Defendant has had no violations of his supervised release and has complied with all of the terms of his supervised release.

The Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

CONCLUSION

Based upon the above, it is hereby

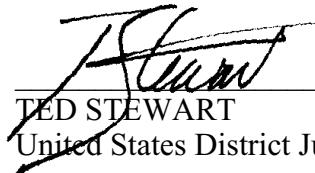
ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 36) is GRANTED; it is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately, and this case shall be closed.

SO ORDERED.

DATED this 18<sup>th</sup> day of March, 2008.

BY THE COURT:



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TED STEWART  
United States District Judge